

### DECLARATION AND POWER OF ATTORNEY

As a below named inventor(s), I hereby declare: THAT my residence, post office address and citizenship are as stated below next to my name; THAT I verily believe I am the original, first and sole (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled: SYSTEM AND METHOD FOR BIOCHEMICAL ASSAY, the specification of which:

[ ] is attached hereto.

[ x ] was filed on November 5, 1998 as Application No. 09/186,793, and was amended on \_\_\_\_\_ (if applicable).

[ ] and amended in the attached Amendment.

THAT I do not know and do not believe that this invention was ever known or used in the United States of America before my or our invention or discovery thereof, or patented or described in any printed publication in any country before my or our invention or discovery thereof, or more than one year prior to this application;

THAT the invention was not in public use or on sale in the united states of America for more than one year prior to this application;

THAT this invention has not been patented or made the subject of an inventor's certificate issued before the date of the application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months before this application;

THAT I have reviewed and understand the contents of the above identified specification, including the claim(s), as amended by any amendment referred to above;

THAT I acknowledge the duty to disclose information of which I am aware which I am aware which is material to the examination of this application in accordance with 37 C.F.R. §1.56; and

THAT application for patent or inventor's certificate on this invention or discovery which have been filed by me or my legal representatives or assigns in any country foreign to the United States of America are as follows (leave blank if none):

(a) none filed more than 12 months prior hereto, unless identified here: \_\_\_\_\_, or

(b) earliest filed less than 12 months prior hereto, if any, the priority of which is hereby claimed under 35 U.S.C. 119. The foreign application(s) on which priority is claimed is: \_\_\_\_\_; and other foreign applications having filing dates earlier than the application(s) on which priority is claimed are as follows: \_\_\_\_\_

And I hereby appoint, as my practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected there with and with the resulting patent, individually and collectively:

Squire, Sanders & Dempsey L.L.P.  
Two Renaissance Square  
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telephone number (602) 528-4000 (to whom all communications regarding the subject application are to be directed); and each practitioner thereof named below with Registration Numbers, and of the same address:

Michael A. Lechter Reg. No. 27,350

James H. Phillips

Reg. No. 24,133

and further appoints as associate practitioners, with right of revocation in the primary practitioners, the following:

David E. Rogers Reg. No. 38,287

William R. Bachand Reg. No. 34,980

Edwin A. Suominen Reg. No. 43,174

Please send all further correspondence to Squire, Sanders & Dempsey L.L.P. at the foregoing address.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1. Inventor's Signature Clayton M. Hardman  
Date 12-30-98  
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[ x ] Sheet attached respecting additional inventors.

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